

ORDINANCE NO. 99 -13

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, GRANTING AN EXEMPTION FROM CERTAIN AD VALOREM TAXATION TO ENCOURAGE ECONOMIC DEVELOPMENT IN THE COUNTY FOR TIBOR, INC., D/B/A TED JURACSIK TOOL & DIE, A NEW BUSINESS; PROVIDING FOR A FINDING THAT REQUIREMENTS HAVE BEEN MET; PROVIDING FOR THE AMOUNT OF REVENUE AVAILABLE FROM AD VALOREM TAX SOURCES FOR THE CURRENT FISCAL YEAR; PROVIDING FOR THE AMOUNT OF REVENUE LOST BY VIRTUE OF THE ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTIONS CURRENTLY IN EFFECT; PROVIDING FOR THE ESTIMATED REVENUE LOST ATTRIBUTABLE TO THE EXEMPTION GRANTED TO TIBOR, INC., D/B/A TED JURACSIK TOOL & DIE; PROVIDING FOR THE PERIOD OF TIME FOR WHICH THE EXEMPTION WILL REMAIN IN EFFECT AND THE EXPIRATION DATE OF THE EXEMPTION; PROVIDING FOR ANNUAL REPORTING REQUIREMENT; PROVIDING FOR APPLICABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VII, Section 3, of the Constitution of the State of Florida, and Section 196.1995, Florida Statutes, authorizes the granting of economic development ad valorem tax exemptions to new businesses and expansions of existing businesses upon the successful passage of a referendum; and

WHEREAS, a successful referendum was held on September 8, 1994, resulting in the enactment of Ordinance No. 94-21 known as the "Economic Development Ad Valorem Tax Exemption Ordinance of Palm Beach County, Florida"; and

WHEREAS, such ordinance establishes the requirements for exemption consideration, including the submission of an application; and

WHEREAS, Tibor, Inc., d/b/a Ted Juracsik Tool & Die has submitted an application for an exemption; and

WHEREAS, all affected and interested agencies representative of the business and general community have reviewed said application, and provided comments on the granting of same; and

WHEREAS, all statutory and ordinance requirements have been satisfied.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

SECTION 1. TITLE.

This Ordinance shall be known as the "Economic Development Ad Valorem Tax Exemption Ordinance - Tibor, Inc., d/b/a Ted Juracsik Tool & Die".

SECTION 2. FINDING THAT REQUIREMENTS HAVE BEEN MET.

The Board of County Commissioners of Palm Beach County, Florida, based on the application submitted by Tibor, Inc., d/b/a Ted Juracsik Tool & Die, and the report of the Property Appraiser, finds that Tibor, Inc., d/b/a Ted Juracsik Tool & Die has met all the requirements of Ordinance No.

1 94-21, as amended by Ordinance No. 95-4, and meets the requirements of Section 196.012 (16),
2 Florida Statutes and that granting the exemption granted hereby will result in an economic benefit to
3 Palm Beach County.

4 **SECTION 3. AD VALOREM TAX REVENUES**

5 The revenues available to Palm Beach County for the current fiscal year from ad valorem tax
6 sources are \$290,440,511 (operating). The revenues lost to Palm Beach County for the current fiscal
7 year by virtue of the ad valorem tax exemptions currently in effect are \$124,104. The estimated
8 revenues to be lost for 1999 by granting this exemption are estimated to be \$7,985.

9 **SECTION 4. TERM OF EXEMPTION; EXPIRATION DATE.**

10 The Economic Development Ad Valorem Tax Exemption granted to Tibor, Inc., d/b/a Ted
11 Juracsik Tool & Die for a new business shall be for period of seven (7) tax years commencing on
12 January 1, 1999 and expiring on December 31, 2005. The ability to receive an exemption for the
13 period granted is conditioned upon Tibor, Inc., d/b/a Ted Juracsik Tool & Die's ability to maintain
14 the new business as defined in Ordinance No. 94-21, as amended, throughout the seven (7) year
15 exemption period. Tibor, Inc., d/b/a Ted Juracsik Tool & Die shall submit an annual report to the
16 Board of County Commissioners evidencing satisfaction of this condition in such form as attached
17 hereto and made a part hereof as Exhibit "A." Tibor, Inc., d/b/a Ted Juracsik Tool & Die shall furnish
18 any and all information as the Board of County Commissioners or its designee deems necessary for
19 the purpose of determining continued performance of the imposed conditions. Should Tibor, Inc.,
20 d/b/a Ted Juracsik Tool & Die fail to satisfy the conditions set forth herein, the Board of County
21 Commissioners may revoke the exemption and recover any taxes waived pursuant to Section 9 of
22 Ordinance No. 94-21, as amended.

23 **SECTION 5. GRANT OF EXEMPTION.**

24 After consideration of the application submitted by Tibor, Inc., d/b/a Ted Juracsik Tool &
25 Die, a copy of which is attached hereto and made a part hereof as Exhibit "B", which includes the
26 report of the Property Appraiser, in accordance with the procedure set forth in Ordinance No. 94-21,
27 as amended by Ordinance No. 95-4, the Board of County Commissioners hereby grants and
28 establishes an exemption from ad valorem taxation of one hundred per cent (100%) of the assessed
29 value of the net increase in qualifying tangible personal property acquired and added improvements
30 to real property by Tibor, Inc., d/b/a Ted Juracsik Tool & Die after the adoption of this ordinance,
31 provided such net increase in qualifying tangible personal property and real property facilitate Tibor,

1 Inc., d/b/a Ted Juracsik Tool & Die's new business located at 255 North Congress Avenue, Delray
2 Beach, Florida 33445. Tibor, Inc., d/b/a Ted Juracsik Tool & Die agrees to abide by the terms and
3 conditions set forth in Ordinance No. 94-21 and any and all amendments thereto, as well as any
4 policies and procedures related to the Economic Development Ad Valorem Tax Exemption Program
5 as may be adopted from time to time. Failure to abide by same may result in a revocation of the
6 exemption and the recovery of any taxes waived pursuant to Section 9 of Ordinance No. 94-21, as
7 amended. No exemption shall be granted on the land on which improvements for the new business
8 are made by Tibor, Inc., d/b/a Ted Juracsik Tool & Die.

9 **SECTION 6. APPLICABILITY.**

10 The exemption applies only to taxes levied by Palm Beach County. The exemption does not
11 apply to taxes levied by a municipality, school district, or water management district, or to taxes
12 levied for the payment of bonds or taxes authorized by a vote of the electors pursuant to Section 9
13 and Section 12, Article VII of the State Constitution.

14 **SECTION 7. INCLUSION IN THE CODE OF LAWS AND ORDINANCES.**

15 The provisions of this ordinance shall become and be made a part of the Code of Laws and
16 Ordinances of Palm Beach County, Florida. The sections of this Ordinance may be renumbered or
17 relettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or
18 any other appropriate word.

19 **SECTION 8. SEVERABILITY.**

20 If any section, paragraph, sentence, clause, phrase, or word of this ordinance is for any reason
21 held by a Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder
22 of this Ordinance.

23 **SECTION 9. REPEAL OF LAWS IN CONFLICT.**

24 All local ordinances in conflict with any provision of this ordinance are hereby repealed to the
25 extent of such conflict.

26 **SECTION 10. EFFECTIVE DATE.**

27 The provisions of this ordinance shall become effective upon filing with the Department of
28 State of the State of Florida.

1 **APPROVED AND ADOPTED** by the Board of County Commissioners of Palm Beach
2 County, Florida, on the 18th day of May , 19 99.

3 DOROTHY H. WILKEN, CLERK PALM BEACH COUNTY, FLORIDA, BY ITS
4 Board of County Commissioners BOARD OF COUNTY COMMISSIONERS

5 By: Dorothy H. Wilken By: Maudie Ford Lee
6 Deputy Clerk Chair

7 APPROVED AS TO FORM AND
8 LEGAL SUFFICIENCY BY FLORIDA

9 By: [Signature]
10 Asst. County Attorney

11 **EFFECTIVE DATE:** Filed with the Department of State on the 26th day of
12 May , 19 99.

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May 4, 1999

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on 5/26/99
DATED at West Palm Beach, FL on 6/4/99
DOROTHY H. WILKEN, Clerk
By: Phyllis A. House D.C.